

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

<b>ELIZABETH HORTON,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>CASE NO. 2:06-CV-00526-MHT-DRB</b>
	)	
<b>DON WILLIAMS, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**JOINT MOTION FOR CONTINUANCE BY PLAINTIFF  
AND DEFENDANT GERALD SHOCKLEY**

Come now the Plaintiff, Elizabeth Horton, and Defendant Gerald Shockley, by and through their respective counsel, to move that this Honorable Court continue the trial of this cause, which is currently set for September 8, 2008, to allow the parties to engage in mediation. The Plaintiff and Defendant Shockley are desirous of entering into mediation of this matter and in furtherance of such, have contacted Magistrate Judge Moorer to act as mediator. The Parties to this motion do not believe that they can effectively mediate and simultaneously prepare their causes for trial. The Parties to this motion acknowledge the late nature of this request but respectfully request that the Parties be given a chance to resolve their differences through mediation.

Respectfully submitted on this the 20<sup>th</sup> day of August, 2008.

/s/ Deborah M. Nickson

Attorney for Plaintiff

**Address of Counsel:**

2820 Fairlane Dr. Ste. A-10  
Montgomery, AL 36116  
(334) 213-1233

/s/ Jack Wallace, Jr.

Jack Wallace, Jr.  
Assistant Attorney General

**Address of Counsel:**

Office of the Attorney General  
11 South Union Street  
Montgomery, AL 36130  
334.353.8671  
[JWallace@ago.state.al.us](mailto:JWallace@ago.state.al.us)

**CERTIFICATE OF SERVICE**

I hereby certify that I have, this the 20<sup>th</sup> day of August, 2008, electronically filed the foregoing with the Clerk of Court using the CM/ECF. The Clerk of Court using the CM/ECF system will send notification of this filing to the following:

Charles Stewart, III  
Laura Domm Taaffe  
Quindal C Evans  
Elizabeth Brislin Mitchell  
Bradley, Arant, Rose & White, LLP  
  
William O. Butler, III  
Alabama Medicaid Agency

Dorman Walker  
Kelly F. Pate  
Balch & Bingham LLP  
  
Courtney Tarver  
Tamara Pharrams  
Alabama Department of Mental Health  
and Mental Retardation

/s/ Jack Wallace, Jr.

Jack Wallace, Jr.  
Assistant Attorney General